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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/672,162

09/27/2000

Eric P. Berg

Pager

6610

7590

03/21/2006

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EXAMINER

BROWN, VERNAL U

ART UNIT

PAPER NUMBER

2612

DATE MAILED: 03/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

A

<b>Office Action Summary</b>	<b>Application No.</b> 09/672,162	<b>Applicant(s)</b> BERG, ERIC P.	
	<b>Examiner</b> Vernal U. Brown	<b>Art Unit</b> 2635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 September 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

The application of Eric Berg for Paging Remote Disconnect Systems filed 9/27/2000 has been examined. Claims 1-32 are pending.

#### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1-8, 10, 12-17, 19-20, 22-28, and 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gelbien US Patent 6374101 in view of Hartman et al. US Patent 6380852.

Regarding claims 1, 3, 10, and 31-32 Gelbien teaches a system for remote operation of devices (figure 3), said system comprising:

- an input electrical supply source (col. 3 lines 49-57);
- a switching circuit connected to input electrical supply source (col. 3 line 62-col. 4 line 3);
- a receiver (14a, 14b) for receiving control signals from a remote source (col. 3 lines 59-61).

Gelbien is silent on teaching an output electrical outlet, the switching source connected between the electrical supply and the outlet, and a processor for processing the control signals from the receiver to open the switching circuit to interrupt electrical power transmission between said input electrical supply source and said output electrical outlet. Hartman et al. in an art related control system teaches a switching circuit 102 connected between the power supply and the electrical out let (figure 1) and a processor 272 for processing the control signals from the receiver to open the switching circuit (col. 10 lines 5-14).

It would have been obvious to one of ordinary skill in the art for the switching circuit to be connected between the power source and the outlet and to have a processor for processing the received signal in Gelbien because the switching circuit provides the interface between the power source and the appliance and the processor is necessary to compare and interpret the control signal received by the paging unit.

Regarding claim 2, Gelbien teaches the pager is radio frequency receiver (col. 6 lines 49-55).

Regarding claims 4-7, Gelbien teaches input is from a standard AC source (figure 2) but is silent on teaching the system includes outlets, receiver, and processor mounted in one enclosure. Hartman et al. in an art related control system teaches the switching unit 102 in a enclosure with attached outlets 80 (figure 1) and a processor is also include in the switching circuit (col. 10 lines 5-14).

It would have been obvious to one of ordinary skill in the art for the control system to include outlets, receiver, and processor mounted in one enclosure in Gelbien because this provides a switching module that can be conveniently attached to the existing power supply and provide the control function to the appliance.

Regarding claim 8, Gelbien teaches an input telephone source for receiving the telephone signal and a telephone switching circuit (col. 5 lines 12-20). Gelbien teaches the use of a conventional telephone line (col. 5 lines 15-20) and a conventional telephone line include outlet. Gelbien is silent on teaching a processor for processing the control signals from the receiver to open the switching circuit. Hartman et al. in an art related control system teaches a switching circuit 102 connected between the power supply and the electrical out let (figure 1) and a processor 272 for processing the control signals from the receiver to open the switching circuit (col. 10 lines 5-14).

It would have been obvious to one of ordinary skill in the art for the switching circuit to be connected between the power source and the outlet and to have a processor for processing the received signal in Gelbien because the switching circuit provides the interface between the power source and the appliance and the processor is necessary to compare and interpret the control signal received

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Regarding claims 12-13, 19, and 22-24 Gelbien teaches a system for remote operation of devices (figure 3), said system comprising:

- an input electrical supply source (col. 3 lines 49-57);

- a switching circuit connected to the input electrical supply source (col. 3 line 62- col. 4 line 3);

- an input telephone source and switching circuit (col. 5 lines 12-20);

- a radio frequency receiver for receiving paging control signal from a paging transmitter (col. 3 lines 59-61). Gelbien is silent on teaching an output electrical outlet, the switching source connected between the electrical supply and the outlet, and a processor for processing the control signals from the receiver to open the switching circuit to interrupt electrical power transmission between said input electrical supply source and said output electrical outlet. Hartman et al. in an art related control system teaches a switching circuit 102 connected between the power supply and the electrical outlet (figure 1) and a processor 272 for processing the control signals from the receiver to open the switching circuit (col. 10 lines 5-14).

It would have been obvious to one of ordinary skill in the art for the switching circuit to be connected between the power source and the outlet and to have a processor for processing the received signal in Gelbien because the switching circuit provides the interface between the power source and the appliance and the processor is necessary to compare and interpret the control signal received by the paging unit.

Regarding claims 14-17, 20, and 25-28, Gelbien teaches input is from a standard AC source (figure 2) but is silent on teaching the system includes outlets, receiver, and processor mounted in one enclosure. Hartman et al. in an art related control system teaches the switching unit 102 in a enclosure with attached outlets 80 (figure 1) and a processor is also include in the switching circuit (col. 10 lines 5-14).

It would have been obvious to one of ordinary skill in the art for the control system to include outlets, receiver, and processor mounted in one enclosure in Gelbien because this provides a switching module that can be conveniently attached to the existing power supply and provide the control function to the appliance.

Claims 9, 18, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gelbien US Patent 6374101 in view of Hartman et al. US Patent 6380852 and further in view of Smolinske US Patent 5655218.

Regarding claims 9, 18, and 29, Gelbien teaches a paging device for receiving the control signal.(col. 3 lines 20-23) but is not explicit in teaching the displaying alphanumeric message. Smolinske in an art related communication system teaches displaying alphanumeric message on a paging device (col. 2 lines 35-45) in order to provide informational messages to the user.

It would have been obvious to one of ordinary skill in the art to display alphanumeric message in Gelbien because this allows informational messages to be transmitted and displayed to the user.

Claims 11, 21, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gelbien US Patent 6374101 in view of Hartman et al. US Patent 6380852 and further in view of Marcoux US Patent 5661468.

Regarding claims 11, 21, and 30, Gelbien teaches a timer 29 for monitoring the power circuit (col. 4 lines 28-32) but is silent on teaching a timer changing the state of the switching circuit based on a user selected time. Marcoux in an art related control system teaches programming the on/off times of the load (col. 3 lines 51-55)

It would have been obvious to one of ordinary skill in the art to have a timer for changing the state of the switching circuit based on a user selected time in order to program the on/off times of the electrical loads.

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***Conclusion***

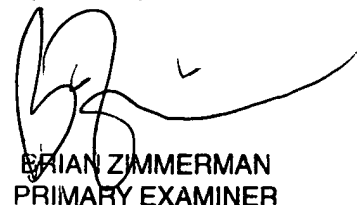
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vernal U. Brown whose telephone number is 571-272-3060. The examiner can normally be reached on 8:30-7:00 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 571-272-3998. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Vernal Brown  
March 13, 2006



BRIAN ZIMMERMAN  
PRIMARY EXAMINER